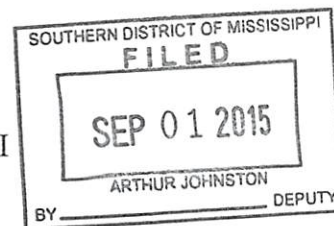


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:15cr21 KS-MTP

TIMOTHY ALLEN SMITH

18 U.S.C. § 922(g)(1)
18 U.S.C. § 922(k)
26 U.S.C. § 5861(d)

The Grand Jury charges:

COUNT 1

On or about October 14, 2014, in Forrest County in the Eastern Division of the Southern District of Mississippi, the defendant, **TIMOTHY ALLEN SMITH**, having been convicted previously of a felony, that is, a crime which is punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm which had previously been shipped and transported in and affecting interstate commerce.

In violation of Sections 922(g)(1), 924(a)(2), and 2 Title 18, United States Code.

COUNT 2

On or about October 14, 2014, in Forrest County in the Eastern Division of the Southern District of Mississippi, the defendant, **TIMOTHY ALLEN SMITH**, knowing possessed a firearm, that is a DPMS .223 caliber, Model A14 rifle that had been shipped and transported in interstate commerce, from which the manufacturer's serial number had been removed, altered and obliterated.

In violation of Sections 922(k) and 924(a)(1)(B), Title 18, United States Code.

COUNT 3

On or about January 12, 2015, in Forrest County in the Eastern Division of the Southern District of Mississippi, the defendant, **TIMOTHY ALLEN SMITH**, having been convicted previously of a felony, that is, a crime which is punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm which had previously been shipped and transported in and affecting interstate commerce.

In violation of Sections 922(g)(1), 924(a)(2), and 2 Title 18, United States Code.

COUNT 4

On or about January 12, 2015, in Forrest County in the Eastern Division of the Southern District of Mississippi, the defendant, **TIMOTHY ALLEN SMITH**, knowingly received and possessed a firearm, a Mossberg model 600AT, 12 gauge shotgun modified to have a barrel less than 18 inches in length, not registered to him in the National Firearms Registration and Transfer Record.

In violation of Sections 5841, 5861(d), and 5871, Title 26, United States Code.

NOTICE OF INTENT TO SEEK CRIMINAL FORFEITURE

As a result of committing the offenses as alleged in this Indictment, the defendant shall forfeit to the United States all property involved in or traceable to property involved in the offenses, including but not limited to all proceeds obtained directly or indirectly from the offenses, and all property used to facilitate the offenses.

The grand jury has determined that probable cause exists to believe that the following property is subject to forfeiture as a result of one or more of the offenses alleged in this indictment:

Mossberg 600AT Shotgun CAL:12 SN:AUS00322

Further, if any property described above, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence; (b) has been transferred or sold to, or deposited with, a third party; (c) has been placed beyond the jurisdiction of the Court; (d) has been substantially diminished in value; or (e) has been commingled with other property, which cannot be divided without difficulty, then it is the intent of the United States to seek a judgment of forfeiture of any other property of the defendant, up to the value of the property described in this notice or any bill of particulars supporting it.

All pursuant to Section 924(d)(1), Title 18, United States Code, and Section 2461(c), Title 28, United States Code.


GREGORY K. DAVIS
United States Attorney

A TRUE BILL:

s/ signature redacted
Foreperson of the Grand Jury

This indictment was returned in open court by the foreperson or deputy foreperson of the grand jury on this the 1st day of September, 2015.


UNITED STATES MAGISTRATE JUDGE